

the wick with the up section being inserted into a bottom hole of the plant pot, left part of the wick reached to the bottom of the plate.

### REMARKS

Applicant has reviewed and considered the final Office Action dated January 2, 2001. Favorable reconsideration of the application is requested in view of the above amendment and following remarks. Claims 1, 23, 24, 25, 27, 28, 29, 32, 40 have been amended. Claims 26, 30-31, 33-39, and 41-43 have been canceled. Claims 44 and 45 have been added. Reconsideration of the present application is respectfully requested.

Claim 1 is directed to a self watering tray that includes a plate, support(s) and a wick. In this self watering apparatus: **1) the wick/ leg is movable and fit all kind of pot; 2) the pot sits on the supports directly, so that air flow/ventilate under the pot thoroughly; 3) having a clearance/ distance between the pot and the plate, so that adding water to the plate is very convenient.** In Kao's invention: 1) the leg is unmovable; 2) Air ventilate under the pot impossible; 3) having a clearance/ distance between the pot and the plate but blocked by the disk ( meaning there is no clearance/ distance between the pot and the plate actually). Kao does not disclose that the device fit all kinds of pot, Kao claimed " .....water controlling sleeve being disposed in central opening of disk member, " ( lines 28-30, column 4 ). Also, Kao does not disclose that air can ventilate under the pot.

Kao claimed " water controlling sleeve having a first bead portion formed on a first end thereof and a second bead portion spaced from first bead portion for capturing disk member there between, water controlling sleeve including a plurality of clip

members formed on a second end thereof and an outer wall portion adjacent second end having threads formed thereon. ( lines 30-37, column 4 ). In present invention, the water sucking system is a wick / or wick disposed in a tube only, it is movable and simple.

Obviously, claim 1 does not anticipated by Kao. Applicant respectfully submits that claim 1 is patentable over Kao.

Claim 24 is directed to a self watering tray without pot supports. A pot sits on the side wall of the plate directly, the side wall having notch(s) to let air flow in and out of the plate, a watering lip disposed on the side wall of the plate, a tube with wick being inserted into a bottom hole of plant pot and wick sucking water from plate to the pot. Kao does not claim side walls of the plate support a plant pot.

Claim 25 is directed to a self watering apparatus. It is a smartly design. A round sharped pot sits on a triangular ( or others sharp ) plate, between the pot and each angle of the plate having a distance and opening area to allow air flow in and out of the plate and add water to the plate. Each side wall of the tray having a notch or rod to fit / hold the plant pot. In present invention, the " triangular sharp or rectangular sharp " means the plate having a different sharp with the plant pot. Due to the different sharps, an opening area become available. The opening area is very useful for air flowing under the pot, for air flowing in and out of the plate, and for adding water to the plate. Obviously, it is a new design, not " art-recongnized equivalents ". Be better understand the present invention, please see attached figures on page 8and 9.

Therefore, Applicant respectfully submits that claims 1, 23-25, 27-29, 32, 40, and 44-45 patentably distinguishes over the cited references.

In view of the above, it is respectfully submitted that the present application is

in a condition for allowance. Reconsideration of the application and a favorable response are respectfully requested.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at 615-356-3211.

Respectfully submitted

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